IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUM. SUIT NO. 1637 OF 2003

Rakeshkumar Cotex Pvt.Ltd., .. Plaintiff.

vs.

Shobha Silk Mills

Pvt. Ltd, .. Defendants.

Mr. Sanjay Jain i/by Legal Juris

for plaintiff.

CORAM : S.U. KAMDAR, J.

DATE : 4th October, 2005.

P.C.:

. The present suit is filed on the basis of goods sold and delivered for the recovery of a sum of Rs. 5,08,000/- and interest of Rs. 2,08,000 on the principal amount of Rs. 3 lacs at the rate of 24% per cent. The defendant was sought to be served with the writ of summons. Packets have come back with the remark "Premises closed" and another packet has come back from the office premises with the remark "Person has left". Thereafter substituted service has been effected. Affidavits of service are filed. All the three affidavits of service are

taken on record. The plaintiff has also tendered original documents which are taken on record and marked Exhibit P-1 collectively. In view of the fact that inspite of service, the defendant is not appearing, suit is decreed as prayed with further interest at the rate of 12% from the date of the suit till payment and/or realisation.

2. Refund of Court fee as per rules.